

#11

PATENT APPLICATION
Docket: 2409.3273.3US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	
	Geoffrey S. Martin et al.)	
Serial No.:	09/819,458)	Art Unit
)	3763
Filed:	March 27, 2001)	
)	
For:	MULTIPLE LUMEN CATHETER)	
)	
Examiner:	Kevin C. Sirmons)	

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TRANSMITTAL FOR DOCUMENTS PREVIOUSLY FILED

APR 28 2003

Group 3700

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

This document and those being transmitted herewith are being submitted in response to the Office Action mailed from the United States Patent and Trademark Office on April 15, 2003, and the comments of Group Art Unit 3700 Customer Service Representative Trudy M. Mitchell in a telephone conference conducted therewith on April 25, 2003.

On March 6, 2003, Applicant deposited with the United States Postal Service "Express Mail Post Office to Addressee" in an envelope addressed to Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231, the following documents which are attached herewith as Exhibit A:

1. Transmittal for Supplemental Amendment "A" and Response to Species Election Requirement (4 pages);
2. Supplemental Amendment "A" and Response to Species Election Requirement (8 pages) with Exhibit A attached;
3. Appendix A to Supplemental Amendment "A" and Response to Species Election Requirement: Detail of Amendment to Specification (3 pages);
4. Pétition for Additional One-Month Extension of Time (2 pages);
5. Check No. 3905 in the amount of \$300.00 dated March 6, 2003; and
6. Certificate of Mailing by "Express Mail" (2 pages).

As evidence that the items attached as Exhibit A were mailed in the above manner, attached as Exhibit B is a copy of "Express Mail" Label No. EV 210751384 US completed at the Salt Lake Airport Mail center on March 6, 2003, a return postcard both listing the documents attached as Exhibit A and stamped as received on March 6, 2003 by the Office of Initial Patent Examination, and copies of both sides of Check No. 3905 in the amount of \$300.00 dated March 6, 2003, as cashed by the United States Patent and Trademark Office.

Despite the documented mailing described above, the Office Action of April 15, 2003, evidences that the documents attached as Exhibit A were not in the file wrapper for this matter.

Therefore, in order to permit a study of the above-listed documents by the Examiner at an appropriate future time in the prosecution of this matter, this document and the Exhibits A and B attached hereto are being resubmitted according to the provisions of 37 C.F.R. §1.8.

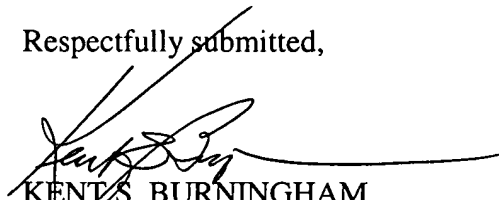
It is respectfully requested that the documents so submitted be entered into the file wrapper for the subject application, and that at an appropriate future time in the prosecution of this matter, that those documents receive the scrutiny of the Examiner.

In light thereof, it is respectfully requested that the Office Action of April 15, 2003, be withdrawn.

The undersigned further declares that all statements made herein based on the knowledge of the undersigned are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful, false statements, and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the subject application or any patent that may issue therefrom.

DATED this 25th day of April, 2003.

Respectfully submitted,



KENT S. BURNINGHAM
Attorney for Applicants
Registration No. 30,453

TRASKBRITT, PC
230 South 500 East, Suite 300
Salt Lake City, Utah 84102 USA
Telephone: (801) 532-1922
Toll Free: (800) 900-2001
Facsimile: (801) 531-9168

KSB:df

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Docket No. 2409.3273.3US

EXPRESS MAILING LABEL NO. EV 210751384 US

PATENT APPLICATION
Docket No. 2409.3273.3US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Filed:)	
March 27, 2001)	
For:)	
MULTIPLE LUMEN CATHETER)	
Examiner:)	
Kevin C. Sirmons)	

TRANSMITTAL FOR SUPPLEMENTAL AMENDMENT "A" AND
RESPONSE TO SPECIES ELECTION REQUIREMENT

Commissioner for Patents
United States Patent and Trademark Office
Washington, D. C. 20231

Sir:

Transmitted herewith is a Supplemental Amendment "A" and Response to Species Election Requirement with Exhibit A attached for entry in the above-captioned application.

- ☐ Small entity status of this application under 37 C.F.R. § 1.9 and § 1.27 has been established by a verified statement previously submitted.
- ☒ To effect entry of amendments to any indicated portion of the above-captioned application indicated below, a correspondingly indicated appendix is enclosed:
 - ☒ Specification. In support of proposed amendments to the specification, enclosed is Appendix A to Supplemental Amendment "A" and Response to Species Election Requirement: Detail of Proposed Amendments to Specification.

- ___ Claims. In support of proposed amendments to the claims, enclosed is Appendix ___ to Amendment "___": Detail of Proposed Amendments to Claims.
- ___ Abstract. In support of proposed amendments to the abstract, enclosed is Appendix ___ to _____: Detail of Proposed Amendments to Abstract.
- ___ To secure the approval of the Examiner for proposed amendments to the drawings, enclosed are the following:
- ___ Letter to the Official Draftsperson;
- ___ Set of _____ (___) sheets of informal drawings containing Figures _____ including the proposed amendments therein; and
- ___ A duplicate set of the _____ (___) sheets of informal drawings with the changes therein highlighted in red.
- x To render the transmitted Supplemental Amendment "A" and Response to Species Election Requirement timely filed, enclosed are the following:
- x Petition for Additional One-Month Extension of Time for a second period of one (1) month; and
- x The difference between the fee set forth in 37 C.F.R. § 1.17(b) and the fee set forth in 37 C.F.R. § 1.17(a), a difference equal in amount to \$ 300.00 is one (1) of the following:
- x . Enclosed as Check No. 3905; or
- ___ To be paid from Deposit Account No. 20-1469 of the undersigned.
- ___ To respond to a double patenting rejection, enclosed are the following:
- ___ Terminal Disclaimer with Exhibits ___ attached; and
- ___ The corresponding fee set forth in 37 C.F.R. § 1.20(d) in the amount of \$110.00 is one (1) of the following:
- ___ Enclosed as Check No. _____; or

_____ To be paid from Deposit Account No. 20-1469 of the undersigned.

 x No additional fee is required.

 x Duplicate copies of this sheet are attached.

The fee has been calculated as follows for other than a small entity applicant:

CLAIM INVENTORY			SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
Claims Remaining After	Highest No. Previously Paid For	Present Extra	Rate	Additional Fee		Rate	Additional Fee
Total 24	Minus 24	0	\$ 9.00	\$ --		\$18.00	\$ 0
Indep. 4	Minus 4	0	\$42.00	\$ --		\$84.00	\$ 0
First Multiple Dependent Claim			\$140.00	\$ --		\$280.00	\$ 0
Additional Fee			TOTAL	\$ --		TOTAL	\$ 0

_____ Please charge my Deposit Account No. 20-1469 in the amount of _____.

_____ Check No. _____ in the amount of \$ _____ for additional claims, if any, is enclosed.

 x The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 20-1469. Duplicate copies of this sheet are attached.

 x Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.

x Any patent application processing fees under 37 C.F.R. § 1.17.

DATED this 6th day of March, 2003.

Respectfully submitted,



KENT S. BURNINGHAM
Attorney for Applicant
Registration No. 30,453

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230 South 500 East, Suite 300
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KSB/csw

Docket: 2409.3273.3US

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EXPRESS MAILING LABEL NO. EV 210751384 US

PATENT APPLICATION
Docket No. 2409.3273.3US

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In re application of:)	
	Geoffrey S. Martin et al.)	
Serial No.	09/819,458)	Art Unit
)	3763
Filed:	March 27, 2001)	
For:	MULTIPLE LUMEN CATHETER)	
Examiner:	Kevin C. Sirmons)	

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EV 210751384 US

Date of Deposit: March 6, 2003

I hereby certify that this document together with the materials listed as transmitted below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231.

DATED this 6th day of March, 2003.

Respectfully submitted,



KENT S. BURNINGHAM
Attorney for Applicant
Registration No. 30,453

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230 South 500 East, Suite 300
Salt Lake City, Utah 84102 USA
Telephone: (801) 532-1922
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KSB/csw

Transmitted: Transmittal for Supplemental Amendment A" and Response to Species Election Requirement (4 pages)
Supplemental Amendment "A" and Response to Species Election Requirement (8 pages) with Exhibit A attached
Appendix A to Supplemental Amendment "A" and Response to Species Election Requirement: Detail of Proposed Amendments to Specification (3 pages)
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Check No. 3905 in the amount of \$300.00
Postcard

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3905

TRASK BRITT, P.C. PATENT ATTORNEYS / CLIENT ADVANCE ACCOUNT

DATE	INVOICE #	REFERENCE	AMOUNT
03/06/2003	Extension of Time - 2 Months	2409-3273.3US	300.00

300.00

WARNING THIS DOCUMENT HAS FLUORESCENT FIBERS, A VOID PANTOGRAPH AND A MICROPRINT SIGNATURE LINE

TRASK BRITT, P.C.
PATENT ATTORNEYS / CLIENT ADVANCE ACCOUNT
230 SOUTH 500 EAST, SUITE 300
P.O. BOX 2550
SALT LAKE CITY, UT 84102-0550
PHONE: 801-532-1922

KEY BANK OF UTAH
SALT LAKE CITY, UT

3905

DATE 03/06/2003

PAY
EXACTLY

Three Hundred AND 00/100 DOLLARS

\$ 300.00

TO THE
ORDER OF

Commissioner for Patents
Washington, D.C. 20231

[Signature]
AUTHORIZED SIGNATURE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	
	Geoffrey S. Martin et al.)	
Serial No.:	09/819,458)	Art Unit
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Filed:	March 27, 2001)	
For:	MULTIPLE LUMEN CATHETER)	
Examiner:	Kevin C. Sirmons)	

CERTIFICATE OF FILING BY FACSIMILE TRANSMISSION

Commissioner for Patents
United States Patent and Trademark Office
Washington, D. C. 20231

RECEIVED
APR 28 2003
Group 3700

Sir:

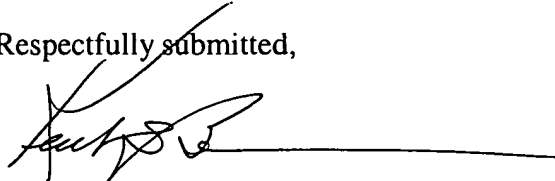
I hereby certify that this paper, the facsimile cover sheet that precedes this paper, and the documents listed below as "Transmitted" are being filed pursuant to 37 C.F.R. § 1.6(d) by facsimile transmission with Group Art Unit 3700 Customer Service Representative Trudy M. Mitchell at the United States Patent and Trademark Office at (703) 872-9301 on the date shown below.

The original of this document and the facsimile confirmation sheet for this transmission will as a courtesy be hand delivered to Group Art Unit 3700 Customer Service Representative Trudy M. Mitchell at the United States Patent and Trademark Office by an agent of the undersigned on April 28, 2003, with the understanding, however, that it is the date of this facsimile transmission that

establishes the date upon which the materials listed below as "Transmitted" were effectively filed in the United States Patent and Trademark Office.

DATED this 25th day of April, 2003.

Respectfully submitted,



KENT S. BURNINGHAM
Attorney for Applicant
Registration No. 30,453

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KSB/df

Transmitted: Transmittal for Documents Filed (3 pages) with copies of documents filed
March 6, 2003, attached as Exhibits A and B

N:\2409\3273.3\US\CERT OF FILING BY FAX.DOC

TO THE UNITED STATES PATENT AND TRADEMARK
OFFICE PLEASE STAMP AND RETURN. THANK
YOU.

KSB

Submitted: Transmittal for Supplemental Amendment A”
and Response to Species Election Requirement (4 pages);
Supplemental Amendment “A” and Response to Species
Election Requirement (8 pages) with Exhibit A attached;
Appendix A to Supplemental Amendment “A” and Response
to Species Election Requirement: Detail of Proposed
Amendments to Specification (3 pages); Petition for
Additional One-Month Extension of Time (2 pages); Check
No. 3905 in the amount of \$300.00; and Certificate of
Mailing by “Express Mail” (2 pages)

Applicants: Geoffrey S. Martin et al.
For: MULTIPLE LUMEN CATHETER
Serial No.: 09/819,458
Filed: March 27, 2001
Mailed: March 6, 2003
Docket No. 240932733US
KSB/csw



3905

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03/06/2003

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\$ 300.00

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Commissioner for Patents
Washington, D.C. 20231

[Signature]
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